



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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Indianapolis, Indiana 46204
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October 26, 2012

Margaret Herring
United States Environmental Protection Agency (US EPA) Region 5 (R5)
77 West Jackson Boulevard
Mail Code: SC-5J
Chicago, Illinois 60604-3507

Dear Ms. Herring:

The Indiana Department of Environmental Management (IDEM), Public Records Office received your public record request via e-mail on January 24, 2012, for information on the following:

- Records related to the Gary Development Landfill that is in the possession of IDEM. IDEM has microfiche of manifests that were prepared before Gary Development Landfill closed. I am requesting that IDEM make these records available to US EPA for review in the Chicago Office.

On February 3, 2012 this request was amended to be all documents that Mr. Matt Klein relied on to produce the 101 page report dated October 14, 1996. Also a further clarification was provided on February 28, 2012 to prioritize specific records referenced in the aforementioned report.

On March 7, 2012 you received instructions on how to access responsive records in the VFC. On April 4, 2012 additional responsive records were provided to this request.

On August 10, 2012 a supplement to this request was submitted requesting specific documents that are referenced in and IDEM report of September 25, 1987 and a preliminary assessment report prepared by Ecology & Environment, a US EPA contractor.

A search of the agency has been conducted. This includes the IDEM Public Records Office, relevant program areas, and where appropriate, the Indiana Commission on Public Records (ICPR), Archives Division. Please find attached the remaining discovered records responsive to this request.

Certain portions of the attached documents are records that are exempt from public disclosure under Indiana Code 5-14-3-4. IDEM is denying access to these portions of the above referenced VFC documents which include:

- Records that are intra-agency or interagency advisory or deliberative material, including material developed by a private contractor under a contract with a public agency that are expressions of opinion or are of a speculative nature, and that are communicated for the purpose of decision making. Ind. Code § 5-14-3-4(b)(6).

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If you should have any questions or concerns regarding your request, need to make any additional public records requests, view, have records copied, or VFC assistance in locating a document, please contact the IDEM Public Records Office at:

Indiana Government Center North, Room 1207
100 North Senate Avenue, MC 50-07
Indianapolis, IN 46204
Phone: (317) 232-8667
Fax (317) 233-6647
Email: IDEMFILEROOM@idem.in.gov

Office hours are 8:30 am to 4:30 pm, Monday through Friday, excluding state holidays. Records obtained through the Public Records Office may be subject to copying fees.

If you have any questions or concerns please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa A. Farrington', written over the printed name.

Melissa A. Farrington
Public Records Office Director
Office of Compliance Support